

SENATE AMENDMENTS

2nd Printing

By: White, Bailes

H.B. No. 410

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain low-volume livestock processing establishments.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 433.0245, Health and Safety Code, is amended by adding Subsections (a-1) and (e) and amending Subsections (b) and (c) to read as follows:

(a-1) For purposes of this section, "low-volume livestock processing establishment" includes an establishment that processes fewer than 10,000 poultry or domestic rabbits in a calendar year.

(b) Except as provided by Subsection (e), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall register with the department in accordance with rules adopted by the executive commissioner for registration.

(c) Except as provided by Subsection (e), a [A] low-volume livestock processing establishment that is exempt from federal inspection shall develop a sanitary operation procedures plan.

(e) A low-volume livestock processing establishment that is exempt from federal inspection and processes fewer than 500 domestic rabbits in a calendar year is not required to comply with Subsection (b) or (c).

SECTION 2. This Act takes effect September 1, 2019.

ADOPTED

MAY 21 2019

Letai Spaw
Secretary of the Senate

By: White/Johnson

____.B. No. _____

Substitute the following for ____B. No. _____:

By: *[Signature]*

C.S. H.B. No. 410

A BILL TO BE ENTITLED

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AN ACT

relating to the regulation of meat and other food products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 433.003, Health and Safety Code, is amended by adding Subdivisions (1-a), (2-a), (10-a), (11-a), (19-a), (23-a), and (26) to read as follows:

(1-a) "Beef" means any edible portion of a formerly live and whole cattle carcass, not derived by synthetic or artificial means.

(2-a) "Chicken" means any edible portion of a formerly live and whole chicken carcass, not derived by synthetic or artificial means.

(10-a) "Lamb" means any edible portion of a formerly live and whole lamb carcass, not derived by synthetic or artificial means.

(11-a) "Meat" means any edible portion of a livestock carcass that does not contain lab-grown, cell cultured, insect, or plant-based products.

(19-a) "Pork" means any edible portion of a formerly live and whole swine carcass, not derived by synthetic or artificial means.

(23-a) "Rabbit" means any edible portion of a formerly live and whole rabbit, not derived by synthetic or artificial means.

1 (26) "Turkey" means any edible portion of a formerly
2 live and whole turkey carcass, not derived by synthetic or
3 artificial means.

4 SECTION 2. Section 433.005, Health and Safety Code, is
5 amended by adding Subsection (a-1) to read as follows:

6 (a-1) A food product is misbranded if:

7 (1) the food product is misrepresented as harvested
8 meat through the use of false or misleading advertising or
9 labeling; or

10 (2) any part of the food product's labeling includes
11 the terms "meat," "beef," "chicken," "pork," "turkey," "lamb,"
12 "rabbit," or any common variation of those terms and the product
13 does not contain the product described by the term listed on the
14 label.

15 SECTION 3. Section 433.0245, Health and Safety Code, is
16 amended by adding Subsections (a-1), (e), and (f) and amending
17 Subsections (b), (c), and (d) to read as follows:

18 (a-1) For purposes of this section, a low-volume livestock
19 processing establishment:

20 (1) includes an establishment that processes fewer
21 than 10,000 domestic rabbits or more than 1,000 but fewer than
22 10,000 poultry in a calendar year; and

23 (2) does not include an establishment that processes
24 1,000 or fewer poultry raised by the operator of the establishment
25 in a calendar year.

26 (b) Except as provided by Subsections (e) and (f), a [A]
27 low-volume livestock processing establishment that is exempt from

1 federal inspection shall register with the department in accordance
2 with rules adopted by the executive commissioner for registration.

3 (c) Except as provided by Subsections (e) and (f), a [A]
4 low-volume livestock processing establishment that is exempt from
5 federal inspection shall develop a sanitary operation procedures
6 plan.

7 (d) Except as provided by Subsection (f), if [~~f~~]
8 contaminated livestock can be reasonably traced to a low-volume
9 livestock processing establishment that is exempt from federal
10 inspection, the department may request the attorney general or the
11 district or county attorney in the jurisdiction where the facility
12 is located to institute a civil suit to enjoin the operation of the
13 establishment until the department determines that the
14 establishment has been sanitized and is operating safely.

15 (e) A low-volume livestock processing establishment that is
16 exempt from federal inspection and processes fewer than 500
17 domestic rabbits in a calendar year is not required to comply with
18 Subsection (b) or (c).

19 (f) An establishment described by Subsection (a-1)(2):
20 (1) is not subject to additional state regulation; and
21 (2) may sell poultry products directly to:
22 (A) consumers; and
23 (B) restaurants that provide food for immediate
24 human consumption.

25 SECTION 4. This Act takes effect September 1, 2019.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 22, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB410 by White (Relating to the regulation of meat and other food products.), **As Passed
2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Human Safety Code, Chapter 433, to describe when a food product is misbranded, and would modify the requirements of the personal use exemption in that chapter. Under the provisions of the bill, livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services,
Department of

LBB Staff: WP, SD, AKi, JQ, MNa, SB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 19, 2019

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB410 by White (Relating to the regulation of meat and other food products.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Human Safety Code, Chapter 433, to describe when a food product is misbranded, and would modify the requirements of the personal use exemption in that chapter. Under the provisions of the bill, livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services,
Department of

LBB Staff: WP, AKi, JQ, MNa, SB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 22, 2019

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Health & Human Services

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB410 by White (Relating to the regulation of certain low-volume livestock processing establishments.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would modify the requirements of personal use exemption in the Health and Human Safety Code, Chapter 433. Livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services,
Department of

LBB Staff: WP, AKi, JQ, MNa, SB

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 20, 2019

TO: Honorable Senfronia Thompson, Chair, House Committee on Public Health

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB410 by White (Relating to the regulation of certain low-volume livestock processing establishments.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would modify the requirements of personal use exemption in the Health and Human Safety Code, Chapter 433. Livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services,
Department of

LBB Staff: WP, AKi, JQ, MNa, SB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

February 25, 2019

TO: Honorable Senfronia Thompson, Chair, House Committee on Public Health

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB410 by White (Relating to the personal use exemption for domestic rabbit meat.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would modify the requirements of personal use exemption in the Health and Human Safety Code, Chapter 433. Livestock owners of domestic rabbits who give or sell carcasses, parts of carcasses, meat, or food products derived from not more than 500 domestic rabbits in any calendar year would be exempt from inspection. The Department of State Health Services expects the number of persons or facilities which would be exempt from inspections or regulations would be very small, and anticipates that any costs associated with implementing this bill could be absorbed within existing resources.

The bill would require the Health and Human Services Commission (HHSC) to adopt rules to implement these changes by September 1, 2020. HHSC anticipates no fiscal impact associated with these activities.

The bill would take effect September 1, 2019.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services,
Department of

LBB Staff: WP, AKi, JQ, MNa, SB